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ON PETITION

In re Application of :  
Farid Bruce Khalili :  
Application No. 10/693,698 :  
Filed: October 27, 2003 :  
Attorney Docket No. Ve 013 :

This is a decision on the petition under 37 CFR 1.137(b) filed August 11, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Corrected Application Papers mailed August 11, 2004. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on October 12, 2004.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, the \$1080 extension of time submitted on August 11, 2005 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be refunded by treasure check in due course.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137 (b) in that (1) the reply in the form of Replacement drawings; (2) the petition fee; (3) the required statement of unintentional delay have been received. Accordingly, the petition filed August 11, 2005 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.

This application matter is being forwarded to the Office of Initial Patent Examination for further processing.

Retta Williams  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy